

REMARKS

Reconsideration of the application is requested in view of the above amendments and the following remarks. Claim 1 has been amended. New claims 7-20 have been added. Support for the amendments to claim 1 and the new claims is provided by at least the description at page 5, lines 8-22; page 8, lines 3-5 and 18-25; and page 10, line 8 to page 11, line 5 and the Figures of the present specification. No new matter has been added.

Claims 1-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Stanton (U.S. 6,249,703) in view of Nappholz (U.S. 5,720,770). Applicants respectfully traverse this rejection.

Stanton discloses a patient programmer for patient control over an implanted medical device that programmer provides tactile, audible, and visible feedback to the user to convey information regarding operation of the programmer and the implanted device. Referring to Figure 3 of Stanton, a plurality of light emitting diodes 32, 34, 36, 38 are disposed on a bottom side of the device. Stanton discloses that "those of ordinary skill in the art will appreciate that LEDs 32, 34, 36 and 38 are preferably disposed within housing 12 and are merely visible through translucent windows in housing 12." The LEDs 32, 34, 36, 38 disclosed by Stanton are directly visible within the housing and are not used to illuminate a deadfront icon. Stanton fails to disclose or suggest any type of icon or image that is illuminated and it further fails to disclose or suggest "displaying the status information visually using the status indicator lamps," wherein each status indicator lamp includes a deadfront icon.

Nappholz fails to remedy the deficiencies of Stanton as it relates to illumination of the deadfront icons for the purpose of displaying status information as discussed above. Nappholz discloses an external device for use in controlling an implanted device such as a pacemaker. The external device may provide voice messages for communication with the patient and may automatically collect information from the implanted device without prompting by the patient. However, Nappholz fails to disclose or suggest "deadfront status indicator lamps each including a deadfront icon that is illuminated for viewing on a front of the case" of a cardiac rhythm management device as required by claim 1. Nappholz further fails to disclose or suggest "displaying the status information visually using the status indicator lamps," as required by claim

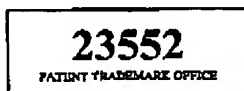
1. Therefore, Stanton and Nappholz, alone or in combination, fail to disclose or suggest every limitation of the claim 1 and the claims that depend from it.

New Claims

New claims 7-12 are additional dependent claims from claim 1 and are allowable for at least the reason they depend from an allowable base claim for those reasons described above. New claims 13-20 track some of the limitations of amended claim 1 including the deadfront status indicator lamps and deadfront status indicator icons that are illuminated for communicating information to the patient. As discussed above, at least Stanton and Nappholz fail to disclose or suggest the use of illuminated icons for communication with the patient. Specifically, Stanton discloses the use of LEDs to provide light signals for a patient, but fails to disclose or suggest illumination of icons using LEDs or other light generating members. Nappholtz fails to disclose or suggest illumination of icons. Therefore, Applicants submit that new claims 13-20 are in condition for allowance.

In view of the above, Applicants request reconsideration of the application in the form of a Notice of Allowance. If a phone conference would be helpful in resolving any issues related to this matter, please contact Applicants' attorney listed below at 612-371-5387.


Respectfully submitted,



Date: Oct. 26, 2005

JNR:ae:njo

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300


Joshua N. Randall
Reg. No. 50,719